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August 2023



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# SAME JOB SAME PAY LAWS IMMINENT



Same Job Same Pay laws for labour hire workers are set to be introduced to Federal Parliament next week. In the meantime, we're not taking our foot off the pedal and our campaign roadshow continues.

Industrial Relations Minister Tony Burke has said Same Job Same Pay provisions will be included in a package of IR laws to be introduced to the Australia House of Representatives next week, focused on ending rorts affecting casuals, gig and labour hire workers.

Minister Burke said yesterday that the 'Close the Loopholes' Bill was about protecting employment standards 'that Australia already thought we had', aiming to criminalise wage theft, set standards in the gig economy and prevent employers using labour hire to undercut enterprise agreements.

'Where the business has already agreed that this is the productivity value of a particular classification of work ... you can't just go and undercut it,' he said.

The introduction of these laws will be the culmination of years of campaigning, thousands of conversations, dozens of consultation sessions, election campaigns, and importantly the work and support of our MEU members



across Australia calling for this much needed change in the mining industry and beyond.

The union will continue working productively with the Government and other members of Parliament to support its passage and advocate for a final version of the laws that deliver on its intended purpose to stop employers outsourcing jobs to labour hire purely to cut wages.

**THIS IS AN IMPORTANT MOMENT IN OUR CAMPAIGN – BUT WE'LL KEEP GOING UNTIL THE LAWS PASS BOTH HOUSES OF PARLIAMENT AND START LIFTING WAGES FOR LABOUR HIRE WORKERS. WE WILL KEEP MEMBERS UPDATED ON THE CONTENT AND PROGRESS OF THESE NEW LAWS AND WE ENCOURAGE YOU TO LOOK OUT FOR OPPORTUNITIES TO GET INFORMED.**

In the meantime, our campaign roadshow continues. Following the success of our campaign launches in the Hunter Valley and Rockhampton in Central Queensland, we've gone to Brisbane to deliver the message to politicians and Moranbah in Central Queensland to talk to more mineworkers.

## ALP National Brisbane Conference

Three years ago two Moranbah miners, Simon and Ron, filmed a video talking about the impacts of the labour hire loophole.

Simon is a permanent worker, Ron is a labour hire worker. They do the same job at the same Bowen Basin mine, but the conditions they work under are very different.



Recently, both Ron and Simon attended the ALP National Conference in Brisbane, stood in front of a room full of politicians and told them that since the video was filmed three years ago nothing has changed.

Ron still doesn't have job security and despite having decades of experience he still doesn't get the other basic entitlements available to Simon.

Hunter MP Dan Repacholi and Queensland Senator Nita Green also joined our event and talked about how important the reforms were to mining regions.



## Moranbah

While the Minerals Council continue to hit the airwaves with their bizarre campaign trying to convince Australians their workmates are useless bludgers, our campaign roadshow is getting to mining communities and cutting through the BS.

Hunter MP Dan Repacholi recently travelled up to Moranbah in Central Queensland to talk to labour hire workers about Same Job Same Pay and what closing the labour hire loopholes would mean to workers.

While Dan represents the Federal seat of Hunter, he said that mining communities such as in the Hunter Valley and Central Queensland were both areas both areas strongly impacted by misuse of labour hire in the mining industry and would similarly benefit from Same Job Same Pay laws.

Dan spoke to labour hire mineworkers at the Moranbah Community Workers Club, as well as at Civeo Camp in Coppabella.

Dan said that Same Job Same Pay would help provide certainty and security to mine workers and incentivise mining companies to provide more permanent employment which would contribute to the vibrancy of mining communities.

We encourage all workers to follow and support our campaign and follow the journey as the new laws go through Parliament.

# VOTE 'NO' TO GET PROGRAMMED BACK TO THE TABLE

The biggest labour hire provider in the NSW mining industry is offering workers a substandard new agreement that attempts to lock in one of the lowest base pay rates in the Northern District.

Programmed Skilled mineworkers are being urged to vote No to an offer including pay rates just 2% above the Award minimum and keep negotiating for a better deal.

Programmed has contracts at the Northern District's biggest mines, including Hunter Valley Operations (Yancoal/Glencore), Bengalla (New Hope), Maules Creek (Whitehaven), Mount Thorley Warkworth (Yancoal), Mt Arthur (BHP), and Mt Pleasant (MACH Energy), and services client mines owned by BHP and Whitehaven.

These mines and companies are making made multi-billion-dollar profits.

- BHP made a pre-tax profit of \$2.8 billion at Mt Arthur in the year to June 2023
- Whitehaven made a profit of \$2.67 billion (after tax) in 2022-23
- Hunter Valley Operations made a \$2 billion profit in 2022
- New Hope group is forecasting a record profit of \$1.75 billion (pre-tax) in 2022-23, with figures due in September.

Despite these enormous profits, Programmed are offering workers up to \$35,000 less a year than permanent mineworkers at these mines.



Programmed workers are being urged to vote no to a proposed Enterprise Agreement that keeps workers at one of the lowest base pay rates in their District with key conditions critically missing. Sick leave, long service leave and accident pay are not paid as at work, leaving workers worse off. District average bonus is also not included.

The Agreement will go out for a vote on Monday 4 September.

Our Union is urging all workers to vote no to this dud deal and force Programmed back to the table so we can negotiate for better pay and conditions closer to industry standards.

Programmed could easily pay their workers in line with industry standards but the labour hire business model works to keep wages and conditions down, said Northern Mining and NSW Energy District President Robin Williams.

**"IT'S SHAMEFUL THAT PROGRAMMED EMPLOYEES WHO WORK AT SOME OF OUR MOST PROFITABLE MINES ARE BEING ASKED TO ACCEPT SOME OF THE LOWEST WAGES AND POOREST CONDITIONS.**

"A look at the profits of these client mines shows they are earning plenty of money for these businesses.

"Programmed and the mining companies they are contracted with are attempting to deprive workers of the standard pay and conditions that are customary throughout the District.

"Our message to all Programmed workers is that your voice matters and you can send a powerful message to your employer.

"By voting no, you can bring them back to the table and keep negotiating a better agreement."



## CONSIDERING GOING ON STRIKE? WHAT EVERY MEU MEMBER SHOULD KNOW ABOUT PROTECTED INDUSTRIAL ACTION

### Key points

- Industrial action is when workers disrupt regular work duties to advance their position during bargaining.
- Industrial Action is 'protected' if it occurs during bargaining for an Enterprise Agreement and meets conditions set out in the Fair Work Act.
- Industrial Action must be protected to prevent significant costs and penalties against individuals and the union.
- Protected Industrial Action (PIA) can take many forms from bans on particular duties to lengthy strikes.
- PIA can be an effective way to win an improved offer if bargaining has reached a stalemate, however there are costs and risks for workers to consider.

### Why take industrial action?

Industrial action is one of the most effective tools available to workers to improve their bargaining position. When satisfactory progress at the negotiating table has stalled, acting collectively to affect the normal operation of the business.

It is never a decision taken lightly, especially as workers don't get paid if they are not working due to industrial action. However, many of the rights and entitlements enjoyed today were won through industrial action.

### What are the types of industrial action?

While we often think of industrial action as strikes, there are several other forms. The Fair Work Act lists the following as legitimate forms of industrial action:

- Performing work in a manner different to how it's normally performed, for instance all workers taking their breaks at once rather than when directed to do so by management.
- Adopting a practice that restricts, limits or delays the performance of work, such as a ban on hot seat changeovers.
- A ban, limitation or restriction on performing, accepting, or offering to work, for example refusing to drive a certain kind of vehicle or conduct training.





- Employees failing or refusing to attend for work or perform any work. This could be a short work stoppage on an otherwise ordinary shift, or not attending a certain shift.

Industrial action does not include actions taken where the employer and employee agree, nor does it cover any disruptions to normal work based on a reasonable concern about an imminent risk to health and safety.

#### **What's the difference between protected and unprotected industrial action?**

Protected industrial action refers to any industrial action that has been previously approved by the Fair Work Commission. Getting your industrial action protected prevents your employer from legally taking many retaliatory actions.

Unprotected industrial action - sometimes known as 'wildcat' strikes - refers to any industrial action that hasn't been approved by Fair Work. As these actions are not protected, they are a counterproductive method of dispute resolution under the current framework.

Potential consequences include dismissal or being held liable for any losses incurred by the employer resulting from industrial action. In the coal industry this could easily be millions of dollars depending on the length and severity of the action.

The Fair Work Commission can issue an order to stop the unprotected industrial action.

If that order is not followed, the Commission can issue fines to both individuals and organisations and rescind the right for protected industrial action for the duration of bargaining.

#### **When can I take PIA?**

Workers can take PIA during the bargaining stage of an enterprise agreement. The first step is a ballot outlining the proposed forms of industrial action to be taken. This ballot must pass with a majority of affected workers participating and a majority of participants supporting industrial action.

At least three days' notice must be given to the employer outlining the forms of action to be taken, including the date of the action. PIA must begin within 30 days unless an extension has been granted by Fair Work Commission.

#### **Can the boss take industrial action too?**

Yes, provided they follow the same procedure with Fair Work that workers are required to, bosses can take protected industrial action as well. They may elect to do so within the bargaining stage, or as a retaliatory action against workers on industrial action. Typically, employers' industrial action will take the form of a lockout, whereby the doors of a worksite are locked, and workers are physically prevented from attending their shifts.

#### **Will I get paid while taking PIA?**

The Fair Work Act prevents employers from paying workers engaged in industrial action for the duration



of the action. Where the action is a partial work ban, employers must make payments proportionally based on hours worked, with notice to the employee of the reduction. The employer may also elect to not pay workers during the partial work ban, notifying the employees that no work will be accepted until normal duties resume.

MEU Members who elect to contribute to the National Assistance Fund (NAF) may be eligible for a financial safety net in certain protracted industrial disputes, where the issues at stake have been deemed to be of national significance. Conditions apply and they are explained to Members if they are likely to become eligible to access the NAF.

How will taking industrial action effect my entitlements? In most cases PIA will not impact your entitlements or continuity of service. For the period industrial action is undertaken no entitlements like annual leave will be accrued, however the Fair Work Act prevents them from being taken away, even if the boss elects to take retaliatory action by way of a lockout. For FIFO workers, employers can't prevent workers from accessing their accommodation during industrial action.

### What if my workmates don't want to take industrial action?

If a protected action ballot passes, but not all of your workmates wish to take part, the action will still be protected. The Fair Work Act prevents employers from taking adverse actions against workers for taking part in industrial activities. The law also protects workers who do not wish to participate in industrial action. These means any worker participating in PIA must not intimidate employees who wish to continue working, including if they cross a picket line to attend work. 'Protected' status can be lost if behaviour is found to be intimidating.

### Can I lose the right to take PIA?

Acting against an order given by the Fair Work Commission can forfeit your right to PIA for the duration of bargaining. For example, if an order is granted for striking workers to return to work, and they do not, they lose whatever protections their industrial action had and the right to have future actions protected for the duration of bargaining.

The Fair Work Commission can terminate or suspend a PIA if it is found endanger the personal safety, health or welfare, if it would cause significant damage to the Australian economy, or if it is protracted and causing significant economic harm to the employer or employee. Further, the Minister for Employment can make a ministerial declaration terminating the industrial action for the same reasons.

### Considering taking industrial action?

Consider which activities and times would have the most impact. Some actions can cause disruption for minimum loss of pay for workers.

For example:

- BHP Operations Services Production workers made an impact by putting a ban on driving the company bus on the mine site. This affected movement of workers around the mine, and therefore affected operations at the mine site.
- At Appin mine, workers took rolling half-day stoppages – the stopping and starting of production caused significant disruption but minimised cost to workers.
- Workers at Yallourn coal mine took industrial action around the clock and refused supervisory roles – this meant senior management getting called to work at 2:00am to deal with scheduled site checks.

Other considerations include whether the employer has an alternative workforce they can call on to undermine your industrial action; or other factors that may impact your success.

Workers must remember that workplace policies such as media and social media policies continue to apply during industrial action – so leave commentary and photographs to your elected delegates and Union reps.

Your Union reps will guide you through the PIA process; and always remember, the most important ingredient for successful collective action is solidarity.





## BHP DROPS FLAWED OS MAINTENANCE AGREEMENT



BHP has withdrawn its application to the Fair Work Commission for approval of an Enterprise Agreement covering maintenance workers employed by its in-house labour hire provider Operations Services (OS).

This represents yet another win for MEU members against BHP and gives OS maintenance workers an opportunity to fight for further improvements in their working conditions.

In August, BHP's legal team informed the Commission they would withdraw their application for approval of the condition. The MEU had challenged the Agreement on the grounds it was not properly explained, including BHP's proposed regional hub set-up.

Mining and Energy Union Queensland Vice President Mitch Hughes said this was great news for labour hire miners trying to close the gap in pay and conditions with direct employees.

"While we keep fighting for a legal right to Same Job Same Pay for labour hire workers, we are also working hard on the ground to achieve better agreements.

In March, BHP put the Maintenance Agreement out to its OS workforce for a vote, offering a \$5000 sign-on bonus. The Agreement was voted up by employees, however the company conceded that the Union's objections were legally correct.

"It's great that BHP has dropped this flawed OS Maintenance Agreement, which offers substandard conditions and was not adequately explained to workers," said Mr Hughes.

"BHP IS DROPPING THIS AGREEMENT BECAUSE THEY KNOW THERE IS NO HOPE OF GETTING IT APPROVED.

"OS MAINTENANCE WORKERS ARE ALREADY IN A BETTER POSITION BECAUSE OF THE GAINS WON BY THEIR WORKMATES IN OS PRODUCTION INCLUDING A GUARANTEED PAY RISE.

In July, OS Production workers voted up a new agreement after pressuring BHP to improve its offer.

After workers took protected industrial action, OS Production workers gained a guaranteed 4% wage increases, paid flights, accident pay and greater certainty over job location.

"We have recent examples of how we can shift BHP on pay and conditions that they have resisted for five years.

"Through workers standing together through their Union we can improve workers' rights, pay, conditions and safety.

"Now OS Maintenance workers will have the opportunity to push BHP even further towards Same Job Same Pay."

The Operations Services Maintenance Agreement applies widely in Western and South Australia as well as Queensland.



# HYDROGEN INDUSTRY CAN CREATE JOBS IN COAL COMMUNITIES



Our submission to the Australian Government's Review of the National Hydrogen Strategy has laid out evidence that real jobs that can be generated in coal communities when hydrogen projects are supported.

The Review of Australia's National Hydrogen Strategy provides an opportunity to envision a more promising future for Australia's energy regions. Australia enjoys numerous advantages for the development of a globally competitive hydrogen industry, including skilled and motivated workforces in key energy regions. But governments must act decisively to ensure opportunities do not pass us by.

Australia's energy regions face a challenging future. Without careful planning and investment, coal power station closures are likely to devastate local communities and force a skilled energy workforce into unemployment. However, the development of Australia's hydrogen industry has the potential to inject the new jobs and economic activity needed to successfully support energy regions through the transition.

Governments should actively incentivise and direct hydrogen investment into regions where coal generation is being phased out. This isn't only about supporting communities who have powered Australia for generations. It's also an eminently smart way to tap into an established energy-literate and experienced blue collar workforce, and exploit existing infrastructure in regions that are long-used to supporting heavy industries.

One proposed project has already recognised this. The Hydrogen Energy Supply Chain (HESC) Project successfully completed a pilot phase in the Latrobe Valley in early-2022 and, if progressed to commercialisation, would provide *ongoing* employment in the region of around 500 jobs, in addition to another 500 ongoing jobs in Hastings. This low-emissions hydrogen project utilises the Latrobe Valley's coal resources to produce hydrogen (in a local gasification plant), which is then be liquefied in Hastings and shipped to Japan – a supply chain that was successfully demonstrated in the pilot phase.

The development of a new hydrogen industry will only

fully deliver for Australian communities if the jobs created are well-paid, secure, and offer the protection of strong union representation. Workers displaced by coal-fired power station closures possess high energy literacy and transferable skillsets. However, if workers are financially disadvantaged for participating in training and reskilling courses, the hydrogen industry will miss out on this valuable workforce.

The development of a local hydrogen industry is an important opportunity to secure Australia's place as a key player in a changing global economy. The Government should not impose barriers that could hamstring our pursuit of this opportunity. A 'tech neutral' approach is an intelligent, sensible approach that would give a new Australian hydrogen industry the best chance of succeeding.

It's widely acknowledged that 'green' hydrogen is currently significantly more expensive to produce than other types of hydrogen, including coal to hydrogen projects. Australia must not risk waiting and should develop its hydrogen industry where it is affordable now, *and* where there are existing realistic proposals. The infrastructure that will be in place as a result can adapt as renewable hydrogen becomes more economic, but it has to be built first.

Foreign investment in our hydrogen industry is not surprising, as Australia is a key energy exporter for major Asian economies, including Japan and South Korea. They have a strong interest in the secure energy supply chain that Australia can continue to provide in a transitioning world. The HESC Project outlined within our submission has the backing of the Japanese Government, who this year committed \$2.35bn to develop the project to commercial scale. This is an enormous investment in the Latrobe Valley community, and offers hope of a more positive future in the face of significant upheaval. It is in Australia's interests to offer an investment environment that is facilitative and welcoming of foreign investment commitments from our most important export partners.



# MESSAGE FROM THE LEADER: ROBIN WILLIAMS

## BELLBIRD TRAGEDY WAS THE BIRTH OF MINES RESCUE

ON 1 SEPTEMBER 1923 A FIRE AND EXPLOSIONS AT BELLBIRD COLLIERY IN THE HUNTER VALLEY IN NEW SOUTH WALES (NSW) CAUSED THE DEATHS OF 21 UNDERGROUND COAL MINERS. THE EVENT WAS THE LARGEST MINING DISASTER TO HIT THE NORTHERN COALFIELDS OF NSW.

NORTHERN DISTRICT PRESIDENT ROBIN WILLIAMS SHARES HIS REMARKS, DELIVERED ON 1 SEPTEMBER 2023 AT THE BELLBIRD CENTENARY EVENT AT THE MEMORIAL PARK NEAR THE SITE OF THE OLD BELLBIRD COLLIERY.



On this day one hundred years ago, we experienced the largest mining disaster to hit the Northern coalfields of New South Wales, right here in Bellbird.

At 1:00pm, twenty men entered Colliery No.1 to commence their day's work.

At 1:30pm, three Deputies concluded their inspection as part of a shift handover.

Shortly after the Deputies left that section of the mine, a fire occurred.

The Deputies then encountered black smoke and flames coming from an air tunnel at another part of the mine, alerting them to the fire.

At 2:00pm, the first explosion occurred, and a series of underground explosions and fires ripped through the mine.

Twenty lives gone in a flash, with the men succumbing to carbon monoxide poisoning.

At 4:00pm, the decision was made to recover the bodies and seal the mine.

Rescuers were able to recover fifteen bodies, but tragedy struck again.

A party who were attempting to rescue more bodies included the Manager of Aberdare Colliery.

During his rescue attempt, he was overcome with smoke and his body had to be left behind, along with five others who were entombed in the pit.

The mine was then sealed.

Twenty-one lives lost.

These men were just going to work, something they did every day.

They put on their work clothes and descended underground, only to never return.

Something so routine ended in tragedy.

Between the explosion at 2:00pm on September 1 and 3:00am on September 2, those involved in the sealing operation noted a total of seven separate underground explosions.

The terrible loss of life devastated our community.

The funerals of the 15 who were recovered were held on a single day and twenty-five thousand people lined the streets to pay their respects and mourn the dead.

Today, we follow in their footsteps to pay our respects and mourn the lives lost.

We honour those involved in the heroic rescue operation, and we pledge ourselves to doing everything in our power to make sure this never happens again.

After the Bellbird mining disaster, the Miners Federation began a campaign to strengthen safety regulations, resulting in legislative changes to improve safety for mine workers.



A coronial inquest and Royal Commission were conducted.

The Coal Mines Regulations, which were deemed obsolete were overhauled. This act introduced many of the mine safety standards we today consider necessities for working underground, including:

- Mandating the use of safety lamps.
- Banning the use of internal combustion engines underground.
- Setting minimum acceptable ventilation standards.
- Requiring the deputization of an experienced mineworker as a safety inspector with the power to stop work.

Significantly, a bill was tabled in the NSW Parliament in 1924 to establish mines rescue stations, and the Miners Federation strongly supported the establishment of these centralised stations.

In 1924, the bodies of six entombed miners who were left behind were recovered by trained volunteer rescue teams.



The rescue teams demonstrated the professionalism and effectiveness of having world-class mines rescue systems and greatly increased awareness about safety in the mining industry.

Mines Rescue are a direct line from today to the tragic events of the first of September one hundred years ago, and we are proud to remain actively involved with the services and represent its members century later.

The 21 names of those killed at Bellbird are memorialised on the Jim Comerford Memorial Wall at our Union office at Aberdare.

The wall is a place to mourn and reflect and remember the sacrifices made by the working people without whom our great Northern District coal industry would not exist.

Our annual Memorial Day is the biggest event in our calendar, when we come together to honour those who have died and comfort those left behind. But the wall is always open to family and community members - and it is a daily reminder about putting safety first each and every day.

At the time of the disaster an observer noted that tragedies like this "speak too loudly for complacency to develop".

I ask us all to reaffirm our commitment to prevent complacency developing in our industry. Tragedies like Bellbird remind us that workplace safety is not a given, but a right paid for in blood and collective action.

Let's speak loudly. Let's remain vigilant. And let's do everything in our power to make sure that every mine worker returns home.

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Well-known miner-poet Jock Graham, who was a rescue party participant at the Bellbird disaster, sends these interesting notes which he calls "some aspects withdrawn from public notice . . ."

## A Rescuer Remembers The Bellbird Disaster

I have read the "Interesting Story of Bellbird Disaster" of Sept. 1, 1922, in a 1928 issue of "Common Cause", reprinted in your January 25 edition, of which I just received a copy. The story is pretty authentic except for a couple of minor details. The story is concerned mainly with the under-manager, George Noble.

For what it is worth, my memory can supply some less-known facts regarding the events of that tragic day. It was a Saturday. My job was on the surface. I knocked off with the men at 1 p.m. and walked up Kendall Street to my beach. I had barely hung my billy from the sapling over my back when I heard a woman screaming. I saw thick black smoke rising from the fan shaft and speaking heavily over the township.

I stamped out my fire and ran back to the colliery, stopping only when I reached the travelling tunnel. Only six men were before me, four by the tunnel, and two seeking safety lamps and stretchers. The manager had left the mine. The engineer was busy on the office phone.

The six men had probably only crossed the road to the hotel, as was usual on a Saturday. That is why they got there so quickly, and were only minutes before me.

But Noble must have gone down before our arrival, with Peter McCluskey, known as "Scotty" McCluskey, and how Scotty got there so fast I don't know. The simple explanation as to why no one saw Noble go into the mine is that there was no one there to see him.

### "The Air Was Bad"

The stretchers were looked away, and no one knew where the keys were, so the seven of us went down the tunnel with two safety lamps and two leather doors in lieu of stretchers. The air was bad as we got further down.

We were already below Eight Feet, the section mentioned in the 1928 story, when we saw a light in the distance—a dim light, leaving and dying. Still at a half trot, the distance closed rapidly. The two men carrying the inert form of a young man were George Noble and McCluskey.

Dry, panting tongues inquired for his name and if he were dead. Noble and McCluskey never stopped, but mumbled the name and to the latter question, "We don't know."

This version conflicts with the account that Noble never came up until after dark, unless they were relieved

of their burden before they reached the surface.

A short way further down we came upon them. The first was as the last, lying on their stomachs, arms stretched out to front. All of them were between the centre props and the coal rib. The first one was a big man. He was placed on the improvised stretcher. It broke under the weight and he was then placed on the shoulders of four men.

The three of us left found the next victim a little distance further down. He was lighter and managed by us, two in front, myself behind.

We staggered out of the tunnel into a thousand people, and the cries were the same. How is he? Who is he? Is he dead?

The office was full of doctors and nurses. We went down again, and again carried out two men. I am not sure of the order of finding them, but the four names were Graber, Morgan, Sheedon and Hines — or Hyman.

### Heating In Falls

Regarding the muddled verdict at the Inquiry of "fire OR explosion"—what happened? Explosions were still taking place when we were down. More to the point is the denial of heating in the falls.

Months before the disaster I had heard the miners discussing their ordeals when sent to clear falls, and because of the fumes and heat, were forced to go home sick and vomiting. Before I left the colliery I saw Wardle stagger out of the tunnel . . . alone.

My batch looked bleak in the dark. I went on, feeling dizzy with weakness, to the better hospitality of a friend's place on the foothills of Mount View. I met him 40 yards from his home and he turned back with me. He had only just heard of the disaster.

I had tea and felt better. We were on our way back to Bellbird in less than half an hour. When we arrived the management had decided that no one down the mine could now be alive. A canary had been taken down a little way and had died. The management had been, in my opinion, a bit hasty to seal off the tunnel mouth and put the fire in a vacuum to save the mine.

I still think the decision was precipitate, for two reasons: One of a rescue party claimed he heard someone knocking on the wooden floor of the overdrift in the return airway where it crossed over the tra-

velling tunnel. He reported this to the management, but nothing was done. This overdrift was less than 100 yards from the mouth of the tunnel.

When the mine was opened a year (or seven months) later, the body of the deputy was found lying on the plank floor on which the tapping had been used. He had tried to get out by the return.

### Manager's Death

The other reason: Wardle had been with the manager of an Aberdare colliery where he was the under-manager. They had been in a party which included the Bellbird Manager, Mathieson, and several others. I understood them, although I cannot be sure, that they were seeking the seat of the fire and the possibility of sealing it off underground. In any case they all got into difficulties.

Brown, I think was the Aberdare manager's name, and Wardle, decided on choosing the travelling tunnel. The rest tried a way through to No. 3 tunnel. The latter only just managed it after having to break their way through a brick stopping.

The Aberdare men were not so lucky. The manager was a big heavy man. He was overcome first. Wardle tried to help him, but after a while he was forced to give up the grim struggle. The manager urged him to go on himself and get fresh help, and said he would keep going as long as he could.

As I have said, I saw him come out and into the arms of anxious men. He told his story. I did not hear it, nor did I know of the party he had been with. I knew that not one of the twenty of the afternoon shift could be now alive, and I was ill prepared to risk my life to save a colliery for the coal owners.

But this was different. Two men were down there who could possibly be alive, and time proved that one at least was alive.

I knew this because I had a friend among the Prote crew by name, Robert Ferguson, who in answer to my question over a year later: "Where did you find the Aberdare manager?" told me he was little over fifty yards down, and near the overdrift, on top of which the deputy Moodie was then lying. He was on his hands and knees. One arm advanced, and one knee.

I have often wondered if he saw the glaring light of the electric globe, and heard the shouts of the ganger and the crashing truck loads as they were emptied into his living grave . . .

### "Heard No More"

POST SCRIPT—Urged by a friend to send in particulars of my rescue work to the committee who had been appointed for the purpose of collating same in connection with the issue of the Shipwrecked Mariners' award, I did so, posting from Kurri where I then lived.

I heard no more of it and was not troubled. I knew that the manager, Mr. Mathieson, and the engineer were chairman and secretary respectively of the committee. That raises a big question mark, but I have neither time nor inclination to answer it.

At times, when I have had occasion to enter the Customs School Of Arts, I have looked at the names of those receiving bravery award. Foremost are those of my party — all of them but me. Gallagher, the two Rams, Crosley, Appleton, and he whose name still eludes me. And always in my heart I saluted them.

**COAL**

Mine veteran Arthur McDonald brought in this poem the other day; he remembers his father, a Northern England miner from Blayden, telling it to him—

Black I am and much adomed;  
Men have fought me till they're  
lied.  
They blacked my eyes and broke  
my face  
And dragged me from my dwelling  
place.  
Do any members remember any  
other old colliering verses?

Everyone likes to listen for the  
Sound of Music on

# 2KY

Sydney's Labor Station --

owned and controlled by the  
Labor Council of N.S.W.

Common Cause April 19th 1969

